

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

NOV 23 2009

JOHN F. CORCORAN, CLERK  
BY: *S. J. Taylor*  
DEPUTY CLERK

CHARLES KING,

Plaintiff,

v.

FLINN & DREFFEIN ENGINEERING CO.,

Defendant.

Civil Action No. 7:09-CV-00410

**ORDER**

By: Hon. James C. Turk  
Senior United States District Judge

This matter is before the Court on Plaintiff's Motion to Remand (Dkt. No. 5). In accordance with the accompanying Memorandum Opinion it is hereby

**ADJUDGED and ORDERED**

that the Plaintiff's Motion to Remand is **DENIED**. In accordance with 28 U.S.C. § 1292(b) the Court **CERTIFIES** the issue presented in the Memorandum Opinion for an interlocutory appeal to the Fourth Circuit. If plaintiff so chooses, he shall make an application of this appeal to the Court of Appeals for the Fourth Circuit within ten (10) days after the entry of this Order.

ENTER: This 23<sup>rd</sup> day of November, 2009.

*James C. Turk*  
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Hon. James C. Turk  
Senior United States District Judge